

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

MOONSCOOP SAS,	) CASE NO. 1:09CV1885
Plaintiff,	) JUDGE JAMES S. GWIN
v.	)
AMERICAN GREETINGS CORPORATION,	) <b><u>PLAINTIFF'S REQUEST FOR STATUS</u></b>
Defendant/Third Party Plaintiff,	) <b><u>CONFERENCE FOLLOWING CLOSE</u></b>
v.	) <b><u>OF DISPOSITIVE MOTIONS AND</u></b>
COOKIE JAR ENTERTAINMENT, INC.,	) <b><u>REQUEST TO EXCUSE PARTY</u></b>
Third-Party Defendant/	) <b><u>ATTENDANCE AT FEBRUARY 17</u></b>
Counterclaimant/	) <b><u>STATUS CONFERENCE</u></b>
Crossclaimant.	)

To afford the parties a meaningful opportunity to consider the arguments raised in the dispositive motions prior to their next substantive meeting, Plaintiff/Crossclaim-Defendant MoonScoop SAS (“MoonScoop”) and Crossclaim Defendant Mike Young Productions, LLC (“MYP”) respectfully request that the Court (1) excuse the personal attendance of party representatives at the currently-scheduled February 17, 2010 Status Conference, and (2) schedule a second Status Conference at the Court’s first-available date following close of the dispositive motion briefing on March 8, 2010, with party representatives to be present.

As grounds for this Motion, MoonScoop and MYP state that discovery is currently proceeding and dispositive motion briefing in this action will conclude on March 8. The present February 17 Status Conference falls in the midst of the dispositive motion briefing period, and will require the parties to appear prior to being fully informed of each parties’ respective

arguments and without the benefit of complete dispositive motion briefing. In furtherance of reducing costs and permitting an informed discussion, MoonScoop and MYP request that party representatives be excused from attending the February 17 Status Conference, and instead be required to attend a second status conference immediately following the close of dispositive motion briefing on March 8. MoonScoop and MYP further note that due to an inadvertent scheduling error, their party representative is out of the country on February 17, and will not be able to attend the Status Conference either in-person or telephonically.

This is the first request for a continuance of the Status Conference, and will not serve to prejudice any of the parties as discovery is proceeding in this action. To the extent it will aid in addressing any discovery or related procedural matters, MoonScoop and MYP likewise request that the Court retain the present Status Conference at 12:00 p.m. on February 17, for attendance by counsel only.

Counsel for MoonScoop and MYP attempted but was unable to reach counsel for the remaining parties to this action to seek their concurrence in this Motion.

For these reasons, MoonScoop and MYP respectfully request that the Court (1) excuse the personal attendance of party representatives at the currently-scheduled February 17, 2010 Status Conference, and (2) schedule a second Status Conference at the Court's first-available date following close of the dispositive motion briefing on March 8, 2010, with party representatives to be present.

Respectfully submitted,

/s/ Michael J. Garvin

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Defendant Mike Young Productions, LLC*

**CERTIFICATE OF SERVICE**

I certify that the foregoing was filed electronically this 12<sup>th</sup> day of February, 2010.

Notice of this filing will be sent to all parties by operation of the Court's electronic filing system.

Parties may access this filing through the Court's system.

/s/ Michael J. Garvin

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*One of the Attorneys for Plaintiff/Crossclaim  
Defendant MoonScoop SAS and New Party  
Crossclaim Defendant Mike Young Productions,  
LLC*